

REMARKS

Status of Claims

The Office Action of September 17, 2008 presents the examination of claims 8-9 and 21-23; claims 11-13 18, 19 and 24-25 are indicated as withdrawn. Claims 8, 22 and 23 are allowed and claim 21 is objected to.

Claims 11-13, 18, 19, 24 and 25 are canceled. Applicants reserve the right to pursue subject matter disclosed in the application, but not presently claimed, pursuant to 35 USC § 120.

New claim 26, directed to the preferred of the two compounds in claim 21, is added.

Objection to claim 21

The Examiner objects to claim 21 as being improperly dependent from claim 8. The Examiner requires that claim 21 be written into independent form. Applicants would point out that claim 21 was presented in independent form in the Amendment of June 30, 2008 that has been considered by the Examiner. Reconsideration of this objection is requested.

Information Disclosure Statement

The Examiner has lined through the non-patent references BA-BC and CC-CB1 of the IDS filed June 30, 2008. The Examiner explains that copies of the references were not provided. However, the references were uploaded to PAIR together with the IDS on June 30, 2008, as evidenced by the attached "Electronic Acknowledgement Receipt" showing papers filed via EFS-Web in this matter.

The Examiner is therefore respectfully requested to consider all the references submitted in the IDS of June 30, 2008, and to return to Applicants a copy of an initialed form SB-08 indicating such consideration.

Applicants submit that the present application claims allowable subject matter. The favorable action of allowance of the application, are requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Ph.D., Registration

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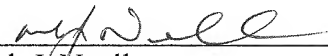
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No. 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 11, 2009

Respectfully submitted,

By 
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Attachment:

Electronic Acknowledgement Receipt